



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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*December 11, 2008  
Agenda Item 7.3*

Memorandum

Date: November 21, 2008  
To: CMA Board  
From: Plans and Programs Committee  
Subject: Second Cycle Lifeline Transportation Fund: Final Program

**Action Requested**

It is recommended that the Board approve the attached Second Cycle Lifeline Transportation Fund final program. The program includes projects totaling approximately \$12.5 million and addresses issues identified at the October 30, 2008 Board meeting as well as comments received from the City of Berkeley.

**Next Steps**

Submit Board recommendations to MTC.

**Discussion**

Modifications were made to the draft Second Cycle Lifeline Transportation Fund program based on input from the Committees and the Board at the October 2008 meetings and fund estimate reductions received as a result of the final approved State budget. In addition, the City of Berkeley communicated concerns about the selection process. Through discussion with City of Berkeley staff, recommendations will be made to improve the selection process for future funding cycles.

**Summary of Changes to the Draft Program:**

1. The fund estimate was reduced from \$12.577 million to \$12.467 million to account for State administrative fees. The program will have \$102,692 less in Tier 1 STA funds and \$12,837 more in Tier 2 Proposition 1B funds. This results in a net reduction of \$89,855. The revisions are reflected in Tier 1 and Tier 2 programming proposed for Project #8 BART: Environmental Justice Access to BART. The BART project is not affected by this change because the original recommended funding for this project inadvertently included the required 20% match. The proposed draft

program reflects a fully funded project component. Due to the above adjustments, an additional \$69,000 was added to Project # 5, AC Transit Existing Service Preservation in Communities of Concern. The Tier 2 funds are not available at this time. The Tier 2 funds may still require additional adjustments after the finalization of the 2009/10 State Budget.

The Board suggested that alternate ways to fund Project #6: Neighborhood Bicycle Centers be considered, such as the Waste Management Authority's (Stop Waste.Org's) programs or sources dedicated to bicycle and pedestrian projects. Finding funding from other sources would free up a portion of the Lifeline programming capacity for other projects, including Project #9: LAVTA's Civic Center Busway and Stops. Staff contacted StopWaste.Org and found that their Grants to Non-Profits Program provides funding to non-profit organizations for projects that increase involvement in source reduction and recycling efforts, decrease the amount of waste generated and sent to the County's landfills, and encourage the development, marketing and use of recycled products. Grant funding for which the Neighborhood Bicycle Center would be eligible would typically range between \$15,000 and \$50,000. Proposals requesting higher levels of funding will be scrutinized for significant diversion impacts commensurate with the grant request. The Cycle of Change project has received grant funding over the past several years from StopWaste.Org so it is not likely that they would receive additional funds from this source now.

ACTIA is another potential fund source for the Neighborhood Bicycle Program. Applications are due by December 17, 2008 and the program of projects will be finalized in April 2009, after the Lifeline Transportation Fund has been programmed. While the project is eligible for this fund source, it is not guaranteed that it would receive funding.

2. Staff is pursuing an exchange with AC Transit that would not impact the funding recommended for the projects identified for the Second Cycle Lifeline Program. The exchange proposal would program STIP funds (identified as Lifeline Program Backfill for \$2 million) to AC Transit in the 2010 STIP. The Lifeline Backfill was a result of a fund exchange in the 2008 STIP that created Lifeline Program capacity in a future STIP.

Of the \$2 million proposed to be exchanged, AC Transit would internally exchange \$1.6 million of the funds to provide AC Transit Lifeline Services in MTC's communities of concern and provide the ACCMA with \$400,000 of exchange funds. CMA staff estimates that 75 percent of low income transit riders in Alameda County are AC Transit patrons. Of the \$400,000, there was general concurrence at ACTAC and Plans and Programs to support \$150,000 of funds from the proposed exchange for the LAVTA Civic Center Busway and Stops Project. The exchange funds are anticipated to be available in the outer years of the 2010 STIP which are FY 2013/14 or 2014/15. The LAVTA project could be initiated with local financing, with the timing of the final reimbursement dependent on the completion of the STIP exchange.

The remaining \$250,000 would be eligible for additional Lifeline Program project(s). BART staff has indicated they have additional Lifeline Program projects with funding needs. The 2010 STIP process is anticipated to begin in the summer of 2009 with approval of the final program by the CMA Board in late 2009. The programming of the final \$250,000 would be programmed at a later date.

Responses to the City of Berkeley Concerns:

The City of Berkeley communicated concerns about the selection process and how the criteria were applied given the information provided by project sponsors in the applications. They were particularly concerned about how the cost effectiveness and demand criteria were applied for projects, where these measures could not be quantified. They also felt that highest priority should be given to projects that were prioritized in Community Based Transportation Plans, the Welfare to Work Plan, or the Coordinated Public Transit Human Services Transportation Plan.

Based on discussions with City of Berkeley staff and the Committees at their November meetings, staff recommends that before the next Lifeline Transportation Fund Call for Projects ACTAC review the criteria to identify a more quantifiable measure of demand and cost effectiveness, determine the appropriateness of the weighting assigned to each of the criteria, review how the criteria would be applied, and discuss ways to ensure that the highest priority projects identified in the Community Based Transportation or other plans are being implemented.

Status of State Budget

The state is considering reducing the STA funds for the Fiscal Year 2008/09 as part of their efforts to balance the state budget. If the current proposal goes forward, it would remove \$1.7 million from the fund estimate for Tier 1 of Alameda County's Lifeline Transportation Program. If the Lifeline Transportation Program funds are affected by the state budget, CMA staff will return to the Board with a revised Lifeline Transportation program of projects, which is within the revised fund estimate, while being respectful of project ranking. MTC has written a letter in response to the state budget proposal. A copy of the letter is attached.

Second Cycle Lifeline Transportation Fund: Final Program

			(\$x1,000)									
			Funding Requested			Source of Proposed Lifeline Funding				Funding Recommendation		
						Tier 1 - (Spring '09) \$6,405		Tier 2 - (Spring '10) \$6,063				
Project Rank	Sponsor	Project/Program & Description -scope recommended for funding	Operations	Capital	Total Funding Request	STA (\$5.618M)	JARC (\$787M)	STA (\$3.223M)	Prop. 1B (\$2.840M)	Operations	Capital	Total Recommendation
Recommended Projects												
1	San Leandro Transportation Management Organization	San Leandro LINKS Shuttle: Service from San Leandro BART to employment & family services in W. San Leandro.	\$ 405	\$ -	\$ 405	\$ -	\$ 405	\$ -	\$ -	\$ 405		\$ 405
2	BART/Oakland Public Library, West Oakland Branch	A Quicker, Safer Trip to the Library to Promote Literacy: Continued shuttle service for Oakland pre-school and schoolchildren, teachers and parents to the W. Oakland Library.	\$ 219	\$ -	\$ 219	\$ -	\$ -	\$ 219	\$ -	\$ 219		\$ 219
3	Alameda County	Meekland Avenue Transit Access Improvements: Bus access improvements on Meekland Avenue including sidewalk, ADA ramp, bulb outs and lighting.	\$ -	\$ 2,500	\$ 2,500	\$ -	\$ -	\$ -	\$ 2,500		\$ 2,500	\$ 2,500
4	Alameda County	Hacienda Ave Transit Access Improvements: Bus access improvements, including sidewalks and high visibility pedestrian crossings on Hacienda Ave between Halhaway Ave and Hesperian Blvd.	\$ -	\$ 160	\$ 160	\$ -	\$ -	\$ -	\$ 160		\$ 160	\$ 160
5	AC Transit	AC Transit Existing Service Preservation in Communities of Concern: Continue existing services on Lines 63, 47, 40, 40, 91, 93, serving Alameda, Oakland, San Leandro, Ashland, Cherryland, San Leandro, and South Hayward.	\$ 8,499	\$ -	\$ 8,499	\$ 5,035	\$ -	\$ 2,839	\$ -	\$ 7,874		\$ 7,874
6	East Bay Bicycle Coalition/ Cycles of Change <sup>1</sup>	Neighborhood Bicycle Centers: Bike distribution and education programs in Oakland and Alameda	\$ 471	\$ -	\$ 471	\$ -	\$ 314	\$ -	\$ -	\$ 314		\$ 314
7	LAVTA <sup>2</sup>	WHEELS Route 14 Service Provision: Continue service from residential Livermore to downtown business areas and regional transit at Livermore Transit Center.	\$ 321	\$ -	\$ 321	\$ 89	\$ 67	\$ 165	\$ -	\$ 321		\$ 321
8	BART <sup>3</sup>	Environmental Justice Access to BART: Tier 1: Install secure bike parking at Ashby & bike maintenance program at Berkeley & Fruitvale stations. Tier 2: Install secure bike parking at N. Berkeley & Berkeley stations.	\$ 54	\$ 3,200	\$ 3,254	\$ 494	\$ -	\$ -	\$ 180	\$ 54	\$ 620	\$ 674
Projects not Recommended												
9	LAVTA <sup>4</sup>	WHEELS Route 14 Civic Center Busway & Stops: Construct turnaround busway and two bus stops with shelters and benches at Civic Center, adjacent to houses, employment and social services.	\$ -	\$ 150	\$ 150	\$ -	\$ -	\$ -	\$ -			\$ -
10	BART	BART Feeder Service: Fund BART's subsidizing of local feeder bus service to BART stations.	\$ 3,000	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ -			\$ -
11	LAVTA	WHEELS Route 14 Expansion Services: Expansion of Route 14 to Livermore Civic Center and Las Positas College.	\$ 1,018	\$ -	\$ 1,018	\$ -	\$ -	\$ -	\$ -			\$ -
12	Oakland	7th Street West Oakland Transit Village: Streetscape, pedestrian, bike and transit access improvements near W. Oakland BART station.	\$ -	\$ 800	\$ 800	\$ -	\$ -	\$ -	\$ -			\$ -
13	AC Transit	AC Transit Bus Replacement: Funding for the prioritized bus replacements for FY 07/08 and 08/09.	\$ -	\$ 2,827	\$ 2,827	\$ -	\$ -	\$ -	\$ -			\$ -
14	LAVTA	LAVTA Rapid Weekend Service: New weekend service for Rte 10 Bus Rapid Transit.	\$ 541	\$ -	\$ 541	\$ -	\$ -	\$ -	\$ -			\$ -
Total Requested			\$ 4,559	\$ 9,637	\$ 24,165	Total Recommendation				\$ 9,187	\$ 3,280	\$ 12,467

Notes

- Recommendation funds first two years of the three year request.
- Total of \$156K in Tier 1 funds FY 09/10 request. \$67.5K JARC approved by CMA Board on 9/25.
- Tier 1 funds bike facilities at Ashby & bike maintenance program. Tier 2 portion funds Berkeley and N. Berkeley bike facilities.
- Staff is exploring options for funding this project through an exchange and/or STIP funding.

Modal Split of Funding Recommendation

Mode	%	Operations	Capital	Total
Bicycle	8%	\$ 368	\$ 620	\$ 988
Transit Operations	71%	\$ 8,819	\$ -	\$ 8,819
Transit Access	21%	NA	\$ 2,660	\$ 2,660
<b>Total</b>	<b>100%</b>	<b>\$ 9,187</b>	<b>\$ 3,280</b>	<b>\$ 12,467</b>



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 5

Attachment

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*Memorandum*

TO: Legislation Committee

DATE: Nov. 14, 2008

FR: Executive Director

RE: State Special Session

**Special Session Called to Address \$11 Billion State Budget Shortfall**

Governor Schwarzenegger has called for a special session of the Legislature to address an estimated \$11 billion shortfall in the current budget year and \$13 billion shortfall in FY 2009-10. The Legislative Analyst's Office has projected an even larger deficit – roughly \$28 billion over the next two years, and \$22 billion annually thereafter through 2014.

The Administration's proposal includes both program cuts and tax increases. Most notable on the tax side is a temporary, three-year, 1.5 percent increase in the state sales tax as well as a broadening of the sales tax base to include selected services. In addition, the Governor proposes a new oil severance tax and an increase in alcohol excise taxes.

**Proposal Would Reduce Proposition 42 Transit Funds in Current Year and End State Transit Assistance Starting Next Year**

The Governor has proposed redirecting State Transit Assistance funds (STA), including the Proposition 42 portion, to the General Fund. Rather than call for an official suspension of Proposition 42 – which, under the conditions of Proposition 1A (2006) would require payback with interest within three years – the Governor has proposed to simply redirect the transit portion of Proposition 42 to school bus service (\$61 million) and debt service on transportation bonds (\$169 million).

The Legislature has approved these types of expenditures for spillover funds and other Public Transportation Account funds (PTA) over the last few years, but this is the first time such an approach has been attempted with Proposition 42 funds. While it is clearly not consistent with the spirit of Proposition 42 and Proposition 1A, when the California Transit Association brought suit against the state on the use of PTA funds for these purposes, the courts upheld the state's argument that these expenditures were eligible under the definition of "mass transportation" in current law. This latest attempt only underscores the need to address this definition through a constitutional amendment, as proposed in our draft legislative program for 2009.

More ominously, the Governor is proposing to end the STA program permanently beginning in 2009-10. Attachment A depicts past diversions and forecasted losses of state transit funding if the Governor's proposal were to become law.

### What the Cuts Would Mean for Bay Area Transit Service

If approved, the Governor's proposal would reduce the region's FY 2008-09 (current year) STA funding by 75 percent from about \$112 million to \$29 million. For revenue-based funds that go directly to transit operators, the region would see a drop from \$81 million to \$20 million, while population-based funds would go from \$31 million to \$9 million.

Attachment B shows the reductions for each transit operator for both revenue-based and population-based categories. As noted, MTC provides STA population-based funds to transit operators for paratransit, for the northern counties and small operators and, notably, the region's Lifeline program that is designed to provide transit service for low-income communities of concern throughout the nine counties. In terms of the region's larger transit operators, total reductions in STA funds are summarized below:

Transit Operator	STA Reduction
AC Transit	\$5.4 Million
BART	\$14.8 Million
Caltrain	\$2.8 Million
SamTrans	\$3.3 Million
San Francisco Muni	\$21.5 Million
Santa Clara VTA	\$9.1 Million

An initial survey of transit operators found that several indicated they would have no choice but to cut service *and* raise fares in response to these cuts. For additional detail on the impact by operator, refer again to Attachment B.

From the perspective of environmental justice, it is worth noting that the Governor's proposal would divert funds from public transit operators that often serve a disproportionate number of low-income and minority residents of California. The diverted STA funds would be shifted to but a handful of school districts that provide yellow bus services in California, most of which are located outside of the Bay Area. STA funds would also be diverted to repay state debt service on transportation bonds held by high-income bond investors.

Continued raids on public transit funding, \$4 billion in the past three years alone, also are manifestly at odds with Sacramento's recently enacted legislation aimed at reducing greenhouse gas emissions (AB 32 and SB 375). We will strongly urge the Legislature to resist these latest proposals to cut public transit funding and "to walk the talk" when it comes to social equity and environmental protection.

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Steve Heminger

#### Attachments

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